

2-8-02

A

02/06/02
1006137
U.S. PTO

EXPRESS MAIL MAILING LABEL

NUMBER: EL 504116215 US

DATE OF DEPOSIT: FEBRUARY 6, 2002

I hereby certify that this paper or fee is being deposited with the United States Postal Service with sufficient postage "EXPRESS MAIL POST OFFICE TO ADDRESSEE" service under 37 C.F.R. 1.10 on the date indicated above and is addressed to: BOX PATENT APPLICATION, Assistant Commissioner for Patents, Washington D.C. 20231.

Pam Mitchell
Pam Mitchell

1006137
U.S. PTO
10/06/02

02/06/02

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney Docket No.: 2027.547096/RFE

Prior Application Serial No.:
09/508,277

Prior Application Examiner:
K. Kerr

Classification Designation:
435

Prior Group Art Unit: 1652

BOX PATENT APPLICATION
Assistant Commissioner for Patents
Washington, D.C. 20231

REQUEST FOR FILING CONTINUATION APPLICATION
UNDER 37 C.F.R. § 1.53(b)

This is a request for filing a continuation application under Rule 53(b) (37 C.F.R. § 1.53(b)) of co-pending prior application Serial No. 09/508,277, filed March 7, 2000, entitled YEAST STRAINS FOR THE PRODUCTION OF LACTIC ACID.

1. Enclosed is a copy of the prior application Serial No. 09/508,277 as originally filed, including specification, claims, drawings, and declaration. The undersigned hereby verifies that the attached papers are a true copy of the prior application as originally filed and identified above, that no amendments (if any) referred to in the declaration filed to complete the prior application introduced new matter therein, and further that this

1006137
U.S. PTO
10/06/02

statement was made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statement may jeopardize the validity of the application or any patent issuing thereon.

(a) The inventorship is the same as prior Application Serial No. 09/508,277.

2. Enclosed is a check in the amount of \$740 to cover the filing fee as calculated below.

CLAIMS AS FILED IN THE PRIOR APPLICATION
LESS CLAIMS CANCELED BELOW

| FOR | NUMBER FILED | NUMBER EXTRA | RATE | FEE |
|-----------------------------------|-----------------|-----------------|-----------|-----------------|
| Basic Fee ----- | | | | \$740.00 |
| Total Claims | 8 - 20 = | 0 X | \$18.00 = | \$ 00.00 |
| Independent Claims | 1 - 3 = | 0 X | \$84.00 = | \$ 00.00 |
| Multiple Dependent Claim(s) ----- | | | | \$ 00.00 |
| TOTAL FILING FEES: | | | | \$740.00 |

3. If the check is missing or insufficient, the Assistant Commissioner is hereby authorized to charge any fees under 37 C.F.R. §§ 1.16 to 1.21 which may be required for any reason relating to this document, or credit any overpayment to Williams, Morgan & Amerson, P.C. Deposit Account No. 50-0786/2027.547096RFE.

4. Address all future communications to:

Raymund F. Eich
WILLIAMS, MORGAN & AMERSON, P.C.
7676 Hillmont, Suite 250
Houston, Texas 77040
(713) 934-4065

5. The prior application is presently assigned to A.E. Staley Manufacturing Co.
6. Enclosed is a Preliminary Amendment.

20060127 100600T

7. Amend the specification by inserting before the first line the sentence: --This is a continuation of co-pending application Serial No. 09/508,277 filed March 7, 2000.--.
8. Information Disclosure Statements are enclosed and accompanying Forms PTO-1449.
9. Certified copy of Italian priority application.
10. Return Receipt Postcard.

Respectfully submitted,



Raymund F. Eich
Reg. No. 42,508

AGENT FOR APPLICANTS

WILLIAMS, MORGAN & AMERSON, P.C.
7676 Hillmont, Suite 250
Houston, Texas 77040
(713) 934-4065
(713) 934-7011 (fax)

February 6, 2002

20060206 13:00